

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JPMORGAN CHASE BANK, N.A.,

Plaintiff,

v.

REPUBLIC MORTGAGE INSURANCE
COMPANY,

Defendant.

:
:
:
:
:
:
:
:
:
:
:

Civil Action No. 10-06141 (SRC)

ORDER

CHESLER, District Judge

This matter having come before the Court upon Defendant Republic Mortgage Insurance Company's ("RMIC") motion to dismiss Plaintiff JP Morgan Chase Bank, N.A.'s ("Chase") Amended Complaint [docket entry 12]; and Chase having opposed the motion; and Chase having filed a cross-motion for partial summary judgment [docket entry 20]; and RMIC having opposed Chase's cross-motion; and the Court having opted to rule based on those submissions, and without oral argument, pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith; and good cause shown,

IT IS on this 4th day of May, 2011,

ORDERED that Defendant's motion to dismiss [docket entry 12] be and hereby is **GRANTED**; and it is further;

ORDERED that Plaintiff is granted leave to file a further Amended Complaint regarding its breach of contract claim, breach of fiduciary duty claim, and bad faith insurance practices

claim; and it is further,

ORDERED that Plaintiff's cross-motion for partial summary judgment [docket entry 20] be and hereby is **DENIED**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge